

Daily Digest

HIGHLIGHTS

Senate passed H.R. 4567, Homeland Security Appropriations.

Senate

Chamber Action

Routine Proceedings, pages S9155–S9240

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 2797–2804, and S. Res. 424–425. **Pages S9220–21**

Measures Reported:

Special Report entitled “Further Revised Allocation to Subcommittees of Budget Totals—2005.” (S. Rept. No. 108–338)

S. 2639, to reauthorize the Congressional Award Act. (S. Rept. No. 108–339)

S. 2803, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2005. (S. Rept. No. 108–340)

S. 2804, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2005. (S. Rept. No. 108–341) **Page S9220**

Measures Passed:

Homeland Security Appropriations: By a unanimous vote of 93 yeas (Vote No. 184), Senate passed H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, after taking action on the following amendments proposed thereto:

Pages S9167–S9213

Adopted:

Ensign Amendment No. 3598, to increase the amount appropriated for baggage screening activities. **Page S9183**

Dodd/Specter Amendment No. 3630, to increase the amount provided for fire department staffing assistance grants, and to provide offsets. **Pages S9167–71, S9183–84**

Bingaman/Domenici Amendment No. 3639, to provide for continued support by the New Mexico National Guard for the performance of the vehicle and cargo inspection activities of the Department of Homeland Security. **Page S9184**

Boxer/Carper Amendment No. 3641, to provide for intercity passenger and freight security grants. **Pages S9187–88**

Cochran (for Allard/Akaka) Amendment No. 3589, to provide for a report on common geospatial awareness of critical infrastructure. **Page S9194**

Subsequently, the amendment was modified. **Page S9209**

Cochran (for Mikulski) Amendment No. 3611, to ensure the fiscal year 2004 overtime cap applies to certain Customs Service employees. **Page S9194**

Cochran (for Boxer) Amendment No. 3634, to require reports on the Federal Air Marshals program. **Page S9194**

Cochran (for Landrieu) Amendment No. 3603, to require a GAO report on employment discrimination complaints relating to employment in airport screener positions in the Transportation Security Administration. **Page S9194**

Cochran (for Boxer) Amendment No. 3640, to protect the security of the Federal Air Marshals. **Page S9195**

Cochran (for Boxer/Schumer) Amendment No. 3642, to require a report on protecting commercial aircraft from the threat of man-portable air defense systems. **Page S9195**

Cochran (for Reed) Amendment No. 3633, to require a report on processes for issuing required permits for proposed liquefied gas marine terminals. **Page S9194**

Cochran (for Leahy/Hatch) Amendment No. 3638, to retain the uniqueness of the United States Secret Service within the Department of Homeland Security. **Pages S9195–96**

Cochran (for Feingold/Leahy) Amendment No. 3635, to provide a data-mining report to Congress. **Pages S9194–95**

Cochran (for Dole) Amendment No. 3645, to provide that funds appropriated to the Bureau of Customs and Border Protection be used to enforce the provisions relating to textile transshipments provided for in the Customs Border Security Act of 2002. **Page S9195**

Baucus Amendment No. 3636, to provide emergency disaster assistance to agricultural producers in Florida and other States due to losses from hurricanes, droughts, freezes, floods, and other natural disasters. **Pages S9184–87, S9200–01**

Clinton/Schumer Amendment No. 3651, to require the Federal Emergency Management Agency to allocate at least \$4,450,000 of any funds previously made available in response to the September 11, 2001 attacks in New York City for continued mental health counseling services for emergency services personnel requiring additional assistance as a result of the September 11, 2001 terrorist attacks.

Page S9201

Nelson (FL) Amendment No. 3607, to provide funds for the American Red Cross.

Page S9208

Cochran (for Collins/Pryor) Amendment No. 3614, to set aside \$50,000,000 from the amount appropriated for law enforcement terrorism prevention grants to identify, acquire, and transfer homeland security technology, equipment, and information to State and local law enforcement agencies.

Page S9208

Cochran (for Stabenow) Amendment No. 3647, to allow State Homeland Security Program grant funds to be used to pay costs associated with the attendance of part-time and volunteer first responders at terrorism response courses approved by the Office for State and Local Government Coordination and Preparedness.

Page S9209

Cochran (for Shelby) Amendment No. 3648, to require the President's fiscal year 2006 budget to include an amount sufficient for funding a certain level of maritime patrol capability.

Page S9209

Cochran (for Roberts) Amendment No. 3643, to express the sense of the Senate concerning the American Red Cross and Critical Biomedical Systems.

Page S9208

Cochran (for Talent/Bond) Amendment No. 3646, to express the sense of the Senate that the Director of the Office for State and Local Government Coordination and Preparedness be given limited authority to approve requests from State Homeland Security Directors to reprogram Federal homeland security grant funds to address specific security requirements based on credible threat assessments.

Page S9209

Cochran (for Murkowski) Amendment No. 3644, to encourage the Secretary of Homeland Security to place special emphasis on the recruitment of American Indians, Alaska Natives, and Native Hawaiians into Disaster Assistance Employee cadres maintained by the Emergency Preparedness and Response Directorate.

Page S9208

Reid Modified Amendment No. 3653, to provide funds for transportation worker identification credentialing and for tracking trucks carrying hazardous material.

Page S9209

Cochran (for Durbin/Akaka) Amendment No. 3657, to provide for reporting by the Chief Financial Officer and the Chief Information Officer of the Department of Homeland Security.

Page S9209

Cochran (for Domenici) Amendment No. 3658, to make a technical correction.

Page S9209

Cochran (for Talent) Amendment No. 3659, to require the Secretary of Agriculture to deploy disaster

liaisons when requested by a Governor or appropriate State agency in a federally declared disaster area.

Page S9209

Rejected:

Corzine Modified Amendment No. 3619, to appropriate an additional \$70,000,000 to enhance the security of chemical plants and to provide an offset. (By 48 yeas to 47 nays (Vote No. 176), Senate tabled the amendment.)

Pages S9179–81

Dayton Amendment No. 3629, to ensure the continuation of benefits for certain individuals providing security services for Federal buildings. (By 49 yeas to 45 nays (Vote No. 177), Senate tabled the amendment.)

Pages S9181–82

Kennedy Amendment No. 3626, to require the President to provide to Congress a copy of the Scowcroft Commission report on improving the capabilities of the United States intelligence community. (By 49 yeas to 45 nays (Vote No. 180), Senate tabled the amendment.)

Pages S9206–07

Clinton Amendment No. 3631, to require the Secretary of Homeland Security to allocate formula-based grants to State and local governments based on an assessment of threats and vulnerabilities and other factors that the Secretary considers appropriate, in accordance with the recommendation of the 9/11 Commission. (By 54 yeas to 39 nays (Vote No. 183), Senate tabled the amendment.)

Pages S9171–72, S9173–74, S9206, S9208

Withdrawn:

Nelson (FL)/Graham (FL) Amendment No. 3652, to provide supplemental disaster relief assistance for agricultural losses in the State of Florida resulting from Hurricanes Charley and Frances.

Pages S9202–04

During consideration of this measure today, the Senate also took the following action:

By 50 yeas to 45 nays (Vote No. 175), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Mikulski Amendment No. 3624, to increase the amount appropriated for firefighter assistance grants. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell.

Pages S9176–77

By 44 yeas to 50 nays (Vote No. 178), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Clinton/Schumer Amendment No. 3632, to appropriate an additional \$625,000,000 for discretionary grants for high-threat, high-density urban areas. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell.

Pages S9172–73, S9174–76, S9182

By 48 yeas to 47 nays (Vote No. 179), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 501(b) of H. Con. Res. 95, Fiscal Year 2004 Congressional Budget Resolution, with respect to Byrd Amendment No. 3649, to provide funds for the Transportation Security Administration, United States Coast Guard, and the Office of State and Local Government Coordination and Preparedness. Subsequently, the point of order that the amendment would increase spending in excess of levels permitted by H. Con. Res. 95, was sustained, and the amendment thus falls. **Pages S9200–02**

By 43 yeas to 51 nays (Vote No. 181), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Schumer Amendment No. 3656, to increase funding for rail and transit security grants. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Pages S9204–05, S9207**

By 44 yeas to 49 nays (Vote No. 182), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Schumer Amendment No. 3655, to appropriate an additional \$350,000,000 to improve the security at points of entry into the United States. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell.

Pages S9205–06, S9207–08

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Cochran, Stevens, Specter, Domenici, McConnell, Shelby, Gregg, Campbell, Craig, Byrd, Inouye, Hollings, Leahy, Harkin, Mikulski, Kohl, and Murray. **Page S9213**

Honoring Former President William Jefferson Clinton: Senate agreed to S. Res. 425, honoring former President William Jefferson Clinton on the occasion of his 58th birthday. **Pages S9237–39**

Small Business Extension: Senate passed H.R. 5008, to provide an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through September 30, 2004, clearing the measure for the President. **Pages S9239–40**

Military Construction Appropriations Agreement: A unanimous-consent agreement was reached providing for consideration of S. 2674, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005, at 9:45 a.m., on Wednesday, September 15, 2004; that the two managers' amend-

ments at the desk be agreed to and no other amendments be in order; that there be one hour of debate equally divided, and at the conclusion or yielding back of time, the bill be returned to the Senate calendar; provided further; that the Senate then proceed to H.R. 4837, House companion measure, that all after the enacting clause be stricken, the text of S. 2674, as amended, be inserted in lieu thereof, the bill be read a third time and the Senate proceed to a vote at a time to be determined by the Majority Leader in consultation with the Democratic Leader; that upon passage of the bill, the Senate insist upon its amendment, request a conference with the House thereon, and the Chair be authorized to appoint conferees. **Page S9237**

Haiti Economic Recovery Opportunity Act—Agreement: A unanimous-consent agreement was reached providing that the Senate request the House to return the papers with respect to S. 2261, to expand certain preferential trade treatment for Haiti.

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Messages From the House: **Pages S9217–18**

Measures Referred: **Page S9218**

Executive Communications: **Pages S9218–20**

Additional Cosponsors: **Pages S9221–22**

Statements on Introduced Bills/Resolutions: **Pages S9222–31**

Additional Statements: **Pages S9216–17**

Amendments Submitted: **Pages S9231–36**

Authority for Committees to Meet: **Pages S9236–37**

Privilege of the Floor: **Page S9237**

Record Votes: Ten record votes were taken today. (Total—184)

Pages S9177, S9181–82, S9202, S9207–08, S9212

Adjournment: Senate convened at 9:45 a.m., and adjourned at 11:18 p.m., until 9:45 a.m., on Wednesday, September 15, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S9240.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: INTERIOR/ AGRICULTURE/TRANSPORTATION AND TREASURY

Committee on Appropriations: Committee ordered favorably reported the following bills:

An original bill (S. 2804) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2005;

An original bill (S. 2803) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2005; and